



Advocates for Workplace Fairness

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DATE FILED: 12/28/2021

December 28, 2021

Via ECF and E-Mail

United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007

ALCarterNYSDChambers@nysd.uscourts.gov

MEMO ENDORSED

Re: Tantaros v. Fox News Network, LLC et al., 1:19-cv-07131-ALC-RWL

Dear Judge Carter:

We represent Petitioner Andrea Tantaros in the above-referenced matter and write, pursuant to Fed. R. Civ. P., Rule 6, Local Rule 7(1)(d), and Your Honor's Individual Practices, section 1.D, to respectfully request a two-week extension of time to oppose Respondents' Motions to Dismiss (ECF Nos. 100 & 104), from January 5, 2022 to January 19, 2022, and further propose that Respondents' time to file their replies be adjourned from January 19, 2022 to February 2, 2022. This is the first request for extension of time relating to the Motions to Dismiss.

Good cause for the extension exists because Ms. Tantaros has only recently, on December 27, 2021, retained our firm to represent her in this action and we need additional time to familiarize ourselves with our client's file, court and arbitration filings, and relevant procedural history in order to provide competent legal representation to our client and prepare a well-founded response to the two Motions to Dismiss. Please note that Ms. Tantaros was unable to secure legal representation sooner, even though she made a serious and reasonable good faith effort to do so in order to comply with the Court's November 23 and December 9 Orders (ECF Nos. 99, 107), and we therefore further respectfully request that we are allowed to proceed as her counsel in this case. Please see the Proposed Revised Scheduling Order attached as Exhibit A.

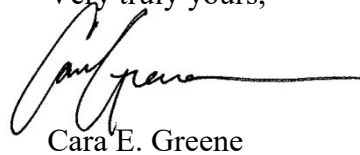
Respondent Fox News Network, LLC ("Fox News") does not consent to Petitioner's request for extension. It claims that this is a unique case, which has been pending for a long time, and that there has been "needless delay." Fox News also asserts that an extension is not warranted because it provided Petitioner's previous counsel, Mr. Donnelly, with a courtesy copy

of the Motion To Dismiss before filing, and the Court previously granted stays while she sought to secure new counsel.¹

We disagree that there has been unnecessary delay; Ms. Tantaros's actions and appeals have been proper and meritorious. Petitioner was sexually harassed by Fox News' actors and subsequently severely retaliated by Fox News for making complaints of discrimination, and she properly seeks to vindicate her rights against a media empire with unlimited resources and a broad reach in the New York legal community. She has had to navigate various conflict of interest issues with her past and prospective counsel, resulting in an inevitable and excusable delay in securing new legal representation. Furthermore, allowing a brief, two-week extension will not prejudice Respondents, but will instead allow Petitioner to fully and orderly present her arguments to the Court and streamline the resolution of the pending motions.

We thank the Court for its attention to this matter.

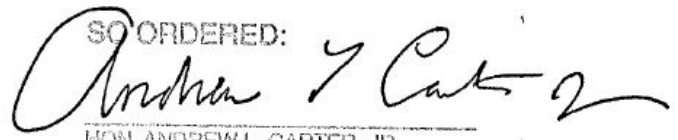
Very truly yours,



Cara E. Greene

cc: all counsel of record via ECF and email

Encl.

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE
Dated: 12/28/2021

¹Respondent Estate of Roger Ailes also opposes the requested extension “for substantively the same reasons” as Fox News.